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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BUDISUKMA PERMAI SDN BHD,

Plaintiff,

- against -

N.M.K. PRODUCTS & AGENCIES
LANKA (PRIVATE) LIMITED et al.,

Defendants.
-----X

08 Civ. 3802 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

By Order dated April 28, 2009, the Court granted the application of plaintiff Budisukma Permai SDN BHD authorizing a Writ Marine Attachment and Garnishment (the "Order") to be served on defendant herein for a period of 90 days, after which the Order would automatically expire unless funds were attached or the Order were renewed upon a showing of good cause by application of plaintiff. The Court directed plaintiff to submit to the Court a report within 90 days of the Order informing the Court of the extent of any restraint of assets pursuant to the Order. The Court further directed plaintiff to submit to the Court a report within five days of the date of any attachment pursuant to the Order. The Court warned that in the event no such reports or application for renewal of the Order were submitted, or no property of defendant were found within this District, the Court may dismiss this action. A review of the Docket Sheet for the action indicates no further entry in the public file, or correspondence with the Court or any

other proceedings since April 28, 2009. Thus the Order expired in accordance with its terms and plaintiff did not comply with its terms for renewal. Accordingly, for the reasons stated above, it is hereby

ORDERED that the Clerk of Court is directed to dismiss the complaint in this action without prejudice.

SO ORDERED.

Dated: New York, New York
14 August 2009



VICTOR MARRERO
U.S.D.J.